

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

CENTURY SURETY COMPANY,

Plaintiff,

v.

RIVER CITIES CONSTRUCTION,  
LLC,

Defendant.

NO. CV-11-057-RHW

**ORDER DENYING  
DEFENDANT'S MOTION  
FOR PROTECTIVE ORDER,  
AS MOOT**

A telephonic hearing was held on November 14, 2011. Plaintiff was represented by Dana Ferestien. Defendant was represented by Robert Hunter.

On November 11, 2011, Defendant filed a Motion for Protective Order to Continue Deposition (ECF No. 66), and noted the motion for hearing for the same time as the previously scheduled telephonic hearing. The purpose of that hearing was to determine when the deposition of Clark Hicks was to take place.

At the hearing, the parties conferred and agreed that the deposition of Mr. Hicks would take place on December 8, 2011. Therefore, it is not necessary for the Court to rule on Defendant's motion. The Court denies Defendant's request for attorneys' fees.

Accordingly, **IT IS HEREBY ORDERED:**

1. Defendant's Motion for Protective Order to Continue Deposition (ECF No. 66) is **DENIED**, as moot.

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**ORDER DENYING DEFENDANT'S  
MOTION FOR PROTECTIVE ORDER, AS MOOT ~ 1**

*s/Robert H. Whaley*  
ROBERT H. WHALEY  
United States District Court

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